

**REISSUE LITIGATION**Practitioner's Docket No. ROCKCO P32AUSRI**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****REISSUE APPLICATION SUPPLEMENTAL DECLARATION
(BY INVENTOR(S) OR ASSIGNEE)**

NOTE: For any error corrected, which is not covered by the declaration previously submitted in the reissue application, a supplemental declaration must be submitted, before allowance, stating that every such error arose without any deceptive intention on the part of the applicant.

(complete A or B)

A. ☒ DECLARATION BY THE INVENTOR(S)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is described and claimed in letters patent number _____, granted on Aug. 22, 2000, and in the subject matter in the amendment

☒ submitted herewith,☐ filed on _____,

and for which invention I solicit a reissue patent.

B. ☐ DECLARATION BY ASSIGNEE

NOTE: The assignee of the entire interest may make the declaration, if the reissue application does not seek to enlarge the scope of the claims of the original patent. 37 C.F.R. § 1.172.

(type or print name of declarant)_____
Title

of _____

Name of company or legal entity on whose behalf declarant is authorized to sign

declare that I am a citizen of _____ and resident of _____, that the entire title to letters patent number _____ for _____ granted on _____, to _____
Inventor(s)

is vested in _____

Name of company or legal entity

that I believe said named inventor(s) to be an original, first and sole inventor (*if only one name is listed*) or an original, first and part inventor (*if plural names are listed*) of the subject matter that is described and claimed in the aforesaid letters patent number _____, granted on _____, and in the subject matter in the amendment

☐ submitted herewith,☐ filed on _____,

and for which invention I solicit a reissue patent.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR
(37 C.F.R. § 1.175)**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

- ☐ In compliance with this duty, there is attached an information disclosure statement in accordance with 37 C.F.R. § 1.98.

**STATEMENT OF INOPERATIVENESS OR INVALIDITY
OF ORIGINAL PATENT (37 C.F.R. § 1.175)**

I verily believe the original patent to be:

- ☒ partly
☐ wholly

inoperative or invalid by reason of (37 C.F.R. § 1.175(a)(1)):

(check all items that may apply)

- ☐ a defective specification
☐ a defective drawing
☒ the patentee claiming more or less than the patentee had a right to claim in the patent.

NOTE: At least one error must be relied upon as the basis for the reissue. 37 C.F.R. § 1.175(a)(1). Having once stated an error upon which the reissue is based, unless all errors previously stated in the declaration are no longer being corrected, a subsequent declaration need not specifically identify any other error(s) being corrected. 37 C.F.R. § 1.175(c).

That the error(s) listed above, which is/are being corrected, up to the time of the filing of this reissue supplemental declaration, arose without any deceptive intention on the part of the applicant. (37 C.F.R. § 1.175(a)(2)).

- ☐ Corroborating statements of others accompany this declaration.

(Reissue Application Supplemental Declaration [17-6.4]—page 2 of 5)

**STATEMENT OF INOPERATIVENESS OR INVALIDITY
OR INVALIDITY OF ORIGINAL PATENT
(continued)**

NOTE: This statement should:

- (1) include the reasons why the applicant believes the original patent to be wholly or partly inoperative.
- (2) particularly specify the defects, when it is claimed that the original patent is inoperative or invalid by reason of a defective specification or drawing;
 - (a) distinctly specify the excess or insufficiency in the claims when it is claimed that the original patent is inoperative or invalid by reason of the patentee claiming more or less than the patentee had the right to claim in the patent; and
 - (b) particularly specify the errors relied upon, and how they arose or occurred.

(use supplemental page(s), if necessary)

At least one error upon which re-issue is based is described as follows. The present re-issue is a broadening re-issue and the error involves the failure of the patentee to claim as broadly as he is entitled and in particular to claim a method for preparing and transporting food without for example the step of "the dispensing of food" and the inadvertent amendment to claim 1 of "loading the at least one maneuverable rack back onto the transfer vehicle".

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Reissue LITIGATION

SIGNATURE(S)☒ **BY THE INVENTOR(S)**Full name of ~~sole~~ **first** inventor Angelo SPERANZAInventor's signature Date 11-08-05 Country of Citizenship Italy

Residence _____

Post Office Address Unit 5, Hook Rise South, Surbiton Surrey KT6 7LDFull name of **second** joint inventor, if any _____

Inventor's signature _____

Date _____ Country of Citizenship _____

Residence _____

Post Office Address _____

☐ **BY ASSIGNEE OR PERSON AUTHORIZED TO SIGN ON BEHALF OF ASSIGNEE**

NOTE: Even though inventor(s) do not sign, complete above information for inventor(s).

(complete the following, if applicable)

(type name of assignee) _____

Address of assignee _____

Title of person authorized to sign on behalf of assignee _____

☐ Assignment recorded in P.T.O. on _____

Reel _____

Frame _____

☐ A separate☐ "ASSIGNMENT (DOCUMENT) COVER SHEET"

or

☐ FORM PTO-1595

is submitted herewith along with the assignment.

(Reissue Application Supplemental Declaration (17-6.4)—page 4 of 5)

REISSUE LITIGATION

[Re 17-1237] [Re 17-1237]

FORM 17-64

17-47

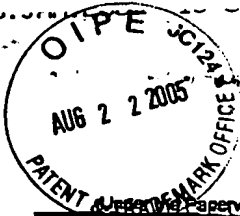
STATEMENT BY ASSIGNEE

- ☒ Attached is a "STATEMENT UNDER 37 C.F.R. 3.73(b)," establishing the right of the assignee to take action in this reissue.


Signature of assignee or person authorized to sign on behalf of assignee

(check proper box(es) for any added page(s) forming a part of this declaration)

- ☐ Signature for third and subsequent joint inventors. Number of pages added _____
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added _____
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 C.F.R. § 1.47. Number of pages added _____
- ☐ Statement of inoperativeness or invalidity of original patent. 37 C.F.R. § 1.175. Number of pages added _____
- ☐ Corroborating statements of others.



603 624 9229

REISSUE LITIGATION

PTO/SS/66 (08-04)

Approved for use through 07/31/2006. OMB 0751-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Angelo SperanzaApplication No./Patent No.: 6,105,818 Filed/Issue Date: August 22, 2000Entitled: **FOOD DISPENSING CYCLE AND MEANS**Burlodge Limited

(Name of Assignee)

a United Kingdom Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

A ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 8371, Frame 0431, or for which a copy thereof is attached.

OR

B ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Angelo Speranza

Printed or Typed Name

Managing Director

Title

Date

01-20-05
0044208 8795700

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.